

SJ Exhibit 21



LEO W. DONAHUE
CHAIRMAN

STANLEY NEWSOME, SR.
VICE CHAIRMAN

STEVEN M. BARNEY
MEMBER

City of St. Louis

CIVIL SERVICE COMMISSION
1114 MARKET STREET, ROOM 700
ST. LOUIS, MISSOURI 63101 - 2043
314-622-3403

RICHARD R. FRANK
SECRETARY

August 28, 2019

Mr. Paul Schmitz
Uthoff, Graeber, Bobinette & Blanke
906 Olive Street, Suite 300
Saint Louis, MO 63101

Ms. Nancy Kistler
Deputy City Counselor
City Hall
1200 Market Street, Room 314

Re: James Garavaglia – Forced Leave of July 18, 2019

Dear Mr. Schmitz and Ms. Kistler:

This is to advise that the Director has approved the written request of Comptroller Green, dated August 28, 2019, to officially withdraw the request of forced leave for Mr. James Garavaglia dated July 18, 2019.

As a result, the hearing scheduled for tomorrow appealing Mr. Garavaglia's forced leave has been cancelled and the appeal has been administratively closed.

Any accrued leave time Mr. Garavaglia used during this period of forced leave from July 18, 2019 through August 28, 2019, shall be restored.

Please do not hesitate to contact me if anything else is needed.

Very truly yours,

A handwritten signature in blue ink that reads "Ashley McClain".

Ashley McClain
Administrative Assistant

SJ Exhibit

21

Garavaglia
Depo.
Exhibit 9

STL000190

DARLENE GREEN
Comptroller



OFFICE OF THE COMPTROLLER
CITY OF ST. LOUIS



212 City Hall
(314) 622-4389
FAX: (314) 622-4026

August 28, 2019

Director Richard Frank
Department of Personnel
Carnahan Courthouse
1114 Market Street, Room 700
St. Louis, MO 63101
Via Email & Hand-delivered

Dear Mr. Frank,

As of today, August 28, 2019, I would like to officially withdraw my request of Forced Leave for Mr. James Garavaglia, as stated in my letter to you dated July 18, 2019.

Thank you for your attention to this matter and please feel free to contact me if you need any additional information or if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Green".

Darlene Green
COMPTROLLER

Attachment (1)

c: James Garavaglia
Judy Armstrong, Appointing Authority
✓ Nancy Kistler, Deputy City Counselor

DG:cdm



OFFICE OF THE COMPTROLLER
CITY OF ST. LOUIS



DARLENE GREEN
Comptroller

212 City Hall
(314) 622-4389
FAX: (314) 622-4026

August 28, 2019

Mr. James Garavaglia
5405 Elizabeth
St. Louis, MO 63110

Via: Hand-Delivered

RE: Pre-Termination Hearing

Dear Mr. Garavaglia:

A pre-termination hearing has been scheduled for Thursday, September 12, 2019 at 9am; this hearing will be conducted at 1520 Market Street, Suite 3005. Mr. Garavaglia, this hearing is according to the City of St. Louis Personnel Regulation NO. 117, Section VII. During this informal hearing, I will read the charges against you and provide supporting documentation or evidence, and you or your representative will have the opportunity to respond and present any evidence that you may have.

You are hereby charged with the following workplace violations:

1. You have improperly signed multiple city contracts and contract extensions including automatic extensions without legal authorization to do so, putting the city at risk, dating back to 2009.
2. Your failure to properly perform your duties and do the research to rectify issues has caused multiple telecommunication invoices to remain past due and unpaid for 18 months or more and you failed to report the same to your superior dating back to January 2018 and earlier.
3. The Internal Audit section was denied access to audit the Transportation Center by you without cause and you failed to inform your superior of the same.
4. You failed to perform or delegate a simple tax clearance task before attempting to cause real estate closing transaction (item) to be posted on the Estimate and Apportionment (E&A) Agenda.
5. You improperly attempted to cause the item to be posted via subterfuge by misrepresenting the facts (truth) to your superior about the item and misrepresenting the facts (truth) about your superior's support for the item to other employees.
6. You were insubordinate in the manner in which you improperly managed the signing process for the real estate closing documents.
7. The investigation into your fiscal improprieties has been broadened to include the state auditor's.

The above mentioned fiscal improprieties are inconsistent with protecting the public and fiscal integrity of the office and are supported by documentation, including, but not limited to, emails. The multiple acts of fiscal irregularities and failure to disclose to your supervisor when discovered, insubordination, subterfuge, and failure to perform your duties is unbecoming of a high level employee such as yourself and cannot be allowed to continue.

*Various provisions of the City of St. Louis Department of Personnel, Administrative and Joint Regulations:

<https://www.stlouis-mo.gov/government/departments/personnel/documents/ordinances-regulations/personnel-administrative-and-joint-regulations.cfm>

Various provisions of the Employee Code of Conduct including, but not limited to, the following:

City Supervisors are responsible for:

“Setting an example of competence and appropriate ethical behavior
Maintaining a workplace environment that encourages open communication, free of the fear of reprisal, in the belief that respectful honesty is the surest way to identify problem areas, address them fairly, and resolve them.”

City Employees are responsible for:

“Competence and ethical behavior; regularly reviewing this Code and comparing their own behavior to the responsibilities and standards described in this code.”

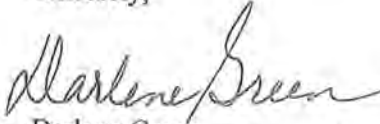
<https://www.stlouis-mo.gov/government/departments/personnel/documents/index.cfm>

The purpose of this pre-termination hearing is to allow you the opportunity to respond to the charges, review any evidence against you, and present any evidence on your behalf, including any mitigating circumstances that may be involved.

You may have a representative at the pre-termination hearing. It is your responsibility to notify your representative, if any, of the time, date, and location of the hearing and provide him/her with all documentation provided to you. Either you or your representative can make arrangements to review any evidence against you from receipt of this notification up until the time of the hearing itself. Failure to appear will result in you waiving your right to the said hearing.

A request to have this Pre-Termination Hearing rescheduled must be made in writing to me within 24 hours of the scheduled hearing date of September 12, 2019.

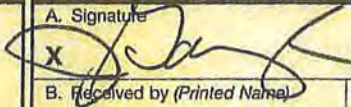
Sincerely,



Darlene Green
COMPTROLLER

Enclosures: Regulation No. 117 Disciplinary Policy
Administrative Joint Regulations - Personnel
City of St. Louis Employee Code of Conduct

c: Judy Armstrong, Appointing Authority
Richard Frank, Director of Personnel

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Mr. James Garavaglia 5405 Elizabeth Ave. St. Louis, MO 63110</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7014 2120 0001 7745 0065</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> I Mail <input type="checkbox"/> I Mail Restricted Delivery (over \$500)</p>			

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

STL001311